ticle or appliance. *The Aalesund,* 9 Ben. 203, Fed. Cas. 1. On this principle, a shipowner, who employed an independent contracting stevedore, was held not to be liable for the injuries to a servant of the stevedore, resulting from the breaking of a defective chain belonging to the shipowner. *The Rheola,* 7 Fed. 781.

Other courts hold that if an employer furnishes machinery to an independent contractor, working upon the employer's premises, and if through the owner's negligence in not keeping such machinery in repair, injury results to a servant of the contractor the owner is liable to the servant. *Johnson* v. *Spear,* 76 Mich. 139, 42 N. W. 1092, 15 Am. St. Rep. 298. For there is a duty on the part of the employer to exercise due care in providing safe appliances for the use of the independent contractor and an implied duty to the servants of the contractor to use the same care. *Coughlin* v. *The Rheola,* 19 Fed. 926. If the negligence of the employer concurs with the negligence of his independent contractor in causing an injury to an employee, there may be a joint recovery from the employer and the independent contractor. *Consolidated Ice Machine Co.* v. *Keifer,* 134 Ill. 481, 25 N. E. 799, 23 Am. St. Rep. 688, 10 L. R. A. 696.

As to what constitutes due care on the part of the employer, it is clear that he is liable for defects which are apparent. *Steel* v. *McNeil,* 60 Fed. 105. But where the defect is latent the case is not so clear, and seems to be dependent upon whether the circumstances in the particular case should have put a reasonably prudent man on inquiry. Thus, an employer who purchased a new appliance in good faith, which later proved defective, was held to have exercised due care. *Power* v. *The Benbrack,* 33 Fed. 687. While, on the other hand, the employer has been held to be liable where the appliance was an old one but the defect latent. *Lowndes* v. *The Phoenix,* 34 Fed. 760.

SLANDER AND LIBEL—WORDS IMPUTING UNCHASTITY—ACTIONABLE PER SE. —The defendant told the plaintiff's husband that the plaintiff had children, born or aborted, before her marriage. These words did not charge an indictable offense under the state laws. The plaintiff brought an action for slander *per se,* neither alleging nor proving special damages. *Held,* the words are actionable *per se. Martens* v. *Martens* (Iowa), 164 N. W. 645.

By the old common law, words imputing unchastity were not actionable, unless they charged a crime involving moral turpitude, for which the offender could be indicted and would suffer an infamous punishment, or unless some special damages could be shown to result from the words. *Brooker* v. *Coffin,* 5 Johns. (N. Y.) 188, 4 Am. Dec. 337; *Pollard* v. *Lyon,* 91 U. S. 225. This harsh rule was so consistently applied that in one case it was held that words, charging a woman with being "as great a whore as any in the town of Liverpool," were not actionable *per se. Roberts* v. *Roberts,* 5 B. & S. 384. Nor is it actionable *per se* to say that a woman was seen in bed with a man, to whom she was not married. *Pollard* v. *Lyon, supra.* And, in a very recent case, it was held not actionable *per se* to say that a woman came out of a house of ill fame. *Pleasanton* v. *Kronemeier* (Del.), 97 Atl. 11.

This rule has been changed in England by the "Slander of Women Act," and in Virginia by "The Statute of Insulting Words." Many other states have also passed statutes making actionable *per se,* a charge of unchastity to women.

In other states, even in the absence of statute, the courts have broken away from the harsh rule of the old common law, and declared that false imputation of unchastity to women is actionable *per se. Kelley* v. *Flaherty,* 16 R. I. 234, 27 Am. St. Rep. 739; *Cleveland* v. *Detweiler,* 18 Iowa 299. This rule has sometimes been rested on the ground that an imputation of unchastity is now everywhere treated as the deepest insult and vilest charge that can be inflicted upon a woman, destroying her reputation and chance of self-support. *Battles* v. *Tyson,* 77 Neb. 563, 110 N. W. 299. Other courts have repudiated the old common law rule on the ground that it is not suited to our changed conditions. Originally, in England, one who charged a woman with unchastity was punishable in the ecclesiastical courts, which courts could not award damages at all. However, it had the effect of stripping the common laws courts of jurisdiction, except in cases of special damages. *Cooper* v. *Searvens,* 81 Kan. 267, 105 Pac. 509. And since there are no ecclesiastical courts in this country, some common law courts hold that they have jurisdiction over such offenses. *Smith* v. *Minor,* 1 N. J. L. 16.

Although probably not sustained by the majority of the courts, in the absence of statute, the rule applied in the instant case certainly has the sanction of reason and justice. A woman's reputation for chastity is an asset of inestimable value and its destruction is clearly a wrong for which there ought to be a remedy.

TIME—COMPUTATION OF TIME—FRACTION OF A DAY.—A statute provided that all claims against insolvents must be presented to the assignee under the general assignment within one year from the time that notice was given by the assignee to creditors. A debtor made a general assignment, and notice was given to the creditors on Nov. 11, 1914, at 1:28 p. m. A claim was presented on the forenoon of Nov. 11, 1915. *Held,* the claim is presented within the time required by statute. *In re Vietor,* 166 N. Y. Supp. 1012.

It is a general rule of law that fractions of a day are not to be regarded, but that a day is to be treated as an indivisible portion of time, so that any act done within the compass of it is no more referable to any one part of the day than to any other part of it. *Stuart* v. *Petree,* 138 Ky. 514, 128 S. W. 592. This rule has sometimes been placed upon the ground that the proof of the hour and minute that a particular act is done is likely to be unsatisfactory and to lead to uncertain results. *Griffin* v. *Forrest,* 49 Mich. 309, 13 N. W. 603. Thus, in contracts of hiring, fractions of a day are reckoned as whole days. *Olson* v. *Rushfeldt,* 81 Minn. 381, 84 N. W. 123. Upon this principle, a person has been held to become of age on the first instant of the last day of the twenty-first year next before the anniversary of his birth. *State* v. *Clarke,* 3 Harr. (Del.) 557. Likewise, in the service of process and